

REMARKS

Claims 1, 4-12, 14-16, 19-25 and 27-29 are pending in the application.

Claims 1, 4-8, 10-12, 14-16, 19-21, 23-25 and 27-29 stand rejected under 35 USC 103(a) as being obvious over Prevost (US Patent No. 6,723,412) in view of Ishikawa (US Patent No. 5,601,886). Claims 1, 4-8, 10-12, 14-16, 19-21, 23-25 and 27-29 stand rejected under 35 USC 103(a) as being obvious over Squires (US Patent Publ. No. 2002/0132099) in view of Ishikawa. Claims 1, 4-8, 10-12, 14-16, 19-21, 23-25 and 27-29 stand rejected under 35 USC 103(a) as being obvious over Burk (US Patent No. 6,472,041) in view of Prevost and Ishikawa. Claims 9 and 22 stand rejected under 35 USC 103(a) as being obvious over Squires in view of Ishikawa and Squires II (US Patent No. 6,299,959). Claims 9 and 22 stand rejected under 35 USC 103(a) as being obvious over Prevost in view of Ishikawa and Squires II. Claims 9 and 22 stand rejected under 35 USC 103(a) as being obvious over Burk, Prevost, Ishikawa and Squires II. Applicant has amended the claims to more particularly define the present invention over the cited prior art.

More specifically, amended claim 1 requires that "said adjacent, parallel rows of loop pile tufts of said drainage layer have a generally uniform height to support the second flexible backing sheet in a generally planar configuration offset above said first flexible backing sheet." None of the cited prior art documents teach this feature.

The Prevost reference describes the use of non-looping ribbons 7 supported by a backing member 3. See col. 7 line 51 to col. 8 line 31. The ribbons 7 are sealed with a 'coating material "M"' in 'strips 45' as illustrated in figure 7 item 45. Importantly, the ribbons 7 of Prevost are not "loop pile" tufts as recited in amended claim 1. Moreover, Prevost fails to teach or suggest a parallel row arrangement of loop pile tufts that "have a generally uniform height to support the second flexible backing sheet in a generally planar configuration offset above said first flexible backing sheet" as required by amended claim 1.

In Squires, an ordered arrangement of adjacent, parallel rows of loop pile is not disclosed or even suggested for a drainage layer. Squires simply describes some 'protrusions', [0030] which may be construed as corrugations by figure 1, or a disordered array of 'bedsprings' as per [0033] and figure 2.

In addition, neither Prevost nor Squires teach or suggest an underlying drainage layer which provides support and lateral stability to a synthetic turf layer disposed thereabove. Prevost only mentions a "more resilient surface" (see col. 6 line 67), whilst Squires only describes a "softer feeling" (see paragraph [0033] line 13), which in both descriptions are associated with resilience of the turf perpendicular to the surface, not with regards to any lateral stability. Lateral stability and perpendicular resilience or softness are both important parameters for the use of a synthetic turf surface; however Squires and Prevost do not identify or discuss lateral stability at all.

Ishikawa describes the use of an alternate row of assist filaments 4 to provide support (for example, col. 3 lines 40 to 43) to the artificial grass filaments 4 as well as for reducing the compaction of the sand layer, for example col. 5 line 24 to page 6 line 4. Importantly, Ishikawa fails to teach or suggest the use of a parallel row arrangement of loop pile tufts that "have a generally uniform height to support the second flexible backing sheet in a generally planar configuration offset above said first flexible backing sheet" as required by amended claim 1. Moreover, Ishikawa does not provide any suggestion of a parallel row arrangement of loop pile tufts that support to a water-permeable synthetic turf layer that includes a flexible backing sheet disposed thereabove as required by amended claim 1.

The other cited prior art references to Burke, Squires II or Wood Jr. do not remedy the shortcomings of Prevost, Squires and Ishikawa.

Thus, the cited prior art fails to teach or suggest important features of amended claim 1. Accordingly, amended claim 1 is clearly patentable over the cited prior art. Similar arguments apply to independent claims 16 and 29.

Dependent claims 4-12, 14-15, 19-25 and 27-28 are patentable over the cited prior art for those reasons advanced above with respect to independent claims 1 and 16 from which they respectively depend and for reciting additional features that are not taught or suggested by the cited prior art.

For example, claims 10 and 23 recite that “the first flexible backing sheet is less water-permeable than the second flexible backing sheet.” Nowhere does the cited prior art teach or suggest these features.

In another example, claims 11 and 24 recite that “the first flexible backing sheet has a water permeability of less than 10%” and claims 12 and 25 recite that “the first flexible backing sheet has a water permeability of about 3-5%.” Nowhere does the cited prior art teach or suggest these features.

In light of all of the above, it is submitted that the claims are in order for allowance, and prompt allowance is earnestly requested. Should any issues remain outstanding, the Examiner is invited to call the undersigned attorney of record so that the case may proceed expeditiously to allowance.

Respectfully submitted,

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